

SF10/2008



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: JUPE, John

Application No.: 10/551,290

Filing Date: September 28, 2005

Title: Image Processing

Group Art Unit/Examiner:

Attorney Docket No.: ARD132USA

PETITION FOR WITHDRAWAL OF HOLDING OF ABANDONMENT

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby petitions the Commissioner to withdraw the holding of abandonment in the instant application, based on nonreceipt of an Office communication, wherein the period for response had expired.

Support for presentation and granting of this petition is provided by MPEP 711.03(c)-"PETITIONS TO WITHDRAW THE HOLDING OF ABANDONMENT," the decision in *Delgar, Inc. v. Schuyler*, 172 USPQ 513 (D.D.C. 1971), and the procedures outlined in 1156 O.G. 53, November 16, 1993.

Date of Deposit: 11-21-07 I hereby certify that this paper/fee is being deposited with the United States Postal Service as First Class Mail-Postage Prepaid, under 37 CFR 1.8, on the date indicated above, and is addressed to the Assistant Commissioner For Patents, Washington, D.C. 20231.

Jo Rudner
Name

Jo Rudner
Signature

The undersigned attorney, who has at all times been the attorney of record in this application, states as follows:

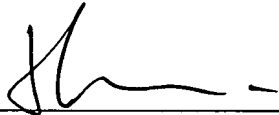
- (1) That the Patent Office communication at issue, a Notification of Missing Requirements which according to the records of the Patent Office was mailed to his office on July 27, 2006, was not received.
- (2) That a search of the file jacket and docket records of the attorney was conducted to confirm non-receipt of the communication, and that search concluded that the Office communication was not received.
- (3) That after receipt of the Notification of Abandonment applicant's attorney attempted to locate the missing Patent Office communication on the USPTO PAIR system Website and was unable to find such communication.

On the basis of the showing set forth above, Applicant respectfully requests that its petition be granted, that the holding of abandonment be withdrawn, and that a copy of the Office communication be mailed to applicant's attorney, Customer Number 24339.

RULE 136(a) PETITION/AUTHORIZATION TO CHARGE DEPOSIT ACCOUNT

It is respectfully requested that, if necessary to effect a timely response, this paper be considered as a Petition for an Extension of Time under 37 CFR 1.136(a) and that the fee therefor, as well as underpayment in any other fees, be charged, or any overpayment in fees be credited, to Deposit Account No. 19-2381.

Respectfully submitted,



Joel D. Skinner, Jr., Reg. No. 33,786
Skinner and Associates
212 Commercial Street
Hudson, Wisconsin 54016
Tel.: (715) 386-5800
FAX: (715) 386-6177
Enclosure

Date: 11-20-07